

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.622(b),) MB Docket No. 03-97
Table of Allotments,) RM-10683
Digital Television Broadcast Stations.)
(Juneau, Alaska))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: December 2, 2003

Released: December 5, 2003

By the Chief, Video Division:

1. At the request of Capital Community Broadcasting, Inc. ("CCB"), licensee of noncommercial educational station KTOO-TV, Juneau, Alaska, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 7001 (2003), proposing the substitution of DTV channel *10 for DTV channel *6 at Juneau. CCB file comments stating that adoption of its proposal would permit area viewers to use more efficient and more compact high-band VHF antennas. No other parties filed comments.

2. We believe the public interest would be served by substituting DTV channel *10 for DTV channel *6 since it will permit station KTOO-DT to operate in the higher portion of the VHF band and avoid any potential future associated problems with Channel 6 and FM radiation interference. DTV channel *10 can be allotted to Juneau, Alaska, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 58-18-04 N. and 134-25-21 W. However, since the community of Juneau is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government was obtained for this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WTOO-DT with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
AK Juneau	*10	0.748	-320.3	26

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective January 20, 2004, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

CityChannel No.

Juneau, Alaska

*10, 11

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Capital Community Broadcasting, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 340) specifying DTV Channel *10 in lieu of DTV Channel *6 for station KTOO-DT.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau